

FILED
SEP 28 2007

CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

GERALD MILLER, * CIV 06-4083

Petitioner, *

-vs-

JUDGMENT

DOUGLAS WEBER,
Warden, SD State Penitentiary,

Respondent. *

The Court having entered its Order dismissing Petitioner's petition, it is hereby ORDERED,
ADJUDGED and DECREED that Petitioner's application for writ of habeas corpus is dismissed,
with prejudice, as untimely pursuant to 28 U.S.C. § 2244(d).

Dated this 28th day of September, 2007.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

By: Shelly Margulies, Deputy
(SEAL)